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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

OR THE CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

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FEB 17 2004

ELAINE L. CHAD Secretary of Labor, United States Department of Labor, 200 Constitution Avenue, N.W. Washington, D.C. 20210

Plaintiff,

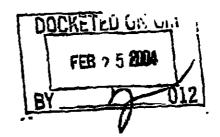
∦ v.

LOCAL 47, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO 600 N. Diamond Bar Boulevard Diamond Bar, California 91765;

Defendant.

NO. 03-3645 JFW (CWX)

SETTLEMENT STIPULATION . SPROSCED ORDER THRREON



It is hereby scipulated by the parties, through their undersigned counsel, as follow:

1. Plaintiff, Secretary of Labor, brought this action under Title IV of the Labor-Management Reporting and Disclosure Act of 1959, 29 U.S.C. 55 481-484, hereinafter referred to as the Act,

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- 2. The parties, in settlement of this action, hereby stipulate and agree that the defendant shall conduct, under the supervision of the plaintiff Secretary of Labor, the defendant's next regularly scheduled election, including nominations for all offices, in June 2005. The parties agree that nominations and elections shall be conducted in accordance with Title IV of the Act, 29 U.S.C. \$5 481-484, and, insofar as lawful and practicable, in accordance with defendant's International Brotherhood of Electrical Workers Constitution (constitution) and Local 47 Bylaws (bylaws).
- 3. Defendant enters into this stipulation of Settlement in order to avoid and save the costs and burdens of further protracted litigation. Defendant denies any wrongdoing in connection with any matter in litigation.
- 4. Defendant agrees to publish, in print and electronically in The Union Reporter, the Notice of Supervised Election (Notice), attached and incorporated in this agreement by reference, in the following time frame: in the first publication of the Union Reporter following the execution of this agreement by the parties and again in the election editions, i.e., the editions that routinely contain combined nominations and election notices and are mailed to all members once in each of the following months in an election year: March, April and May. In addition, defendant agrees to electronically post the Notice on its webpages, www.ibew47.org, on the "Bulletin Board Notices"

page, and at the union hall from the execution date of this agreement until the nominations notice is first mailed in March 2005. The printed Notice will be conspicuously placed in the Union Reporter and will be at least a one-half page block while the posted Notice at the union hall will be at least 8 1/2 by 11 inches.

11.

- 5. All decisions as to the interpretation or application of Title IV of the Act, and the bylaws and constitution of the defendant relating to the supervised election, are to be determined by the Plaintiff Secretary of Labor and her decisions shall be final and binding. All complaints and challenges including post-election challenges regarding the conduct of this supervised election shall be directed to the Election Supervisor, c/o Jeffrey Gitomer, District Director, Office of Labor Management Standards, 915 Wilshire Boulevard, Suite 910, Los Angeles, California 80017.
- completion of the supervised election and throughout the contification process. The plaintiff Secretary shall certify to the Court the names of the persons so elected and that such election was conducted in accordance with Title IV of the Act, and insofar as lawful and practicable, in accordance with the provisions of the constitution and bylaws of the defendant. Upon approval of such certification, the Court shall enter a judgment declaring that such persons have been elected as shown by such certification to serve as the duly elected officers of the defendant local and further providing that each party shall bear

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2	connection with any stage of this proceeding.	
3	DATED: February 12, 2004	i. i
4		RCTHERR, SEGRIL & GREENSTONE
5		GLENN ROTHNER
6		•
7		Attorneys for Defendant
9	DATED: February 3, 200	.
9		DEBRA W. YANG
10		Upited States Attorney LEON W. WEIDMAN
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12		Jan W. Stilled
13		RUSSELL W. CHITTENDEN Assistant United States Attorney
14	of Counsel:	Artorneys for Plaintiff
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	HOWARD M. RADZELY	
16	Solicitor of Labor	:
	Solicitor of Labor CAROL A. DE DEO	•
	Solicitor of Labor CAROL A. DE DEO Associate Solicitor SUSANNE LEWALD	: !
	Solicitor of Labor CAROL A. DE DEO Associate Solicitor SUSANNE LEWALD Regional Solicitor	: ! :
17	Solicitor of Labor CAROL A. DE DEO Associate Solicitor SUSANNE LEWALD Regional Solicitor PAMELA W. MCKEE Associate Regional Solicitor	: !
17	Solicitor of Labor CAROL A. DE DEO Associate Solicitor SUSANNE LEWALD Regional Solicitor PAMELA W. MCKEE Associate Regional Solicitor SHIREEN M. MCQUADE Attorney	: !
17 18 19	Solicitor of Labor CAROL A. DE DEO Associate Solicitor SUSANNE LEWALD Regional Solicitor PAMELA W. MCKEE Associate Regional Solicitor SHIREEN M. MCQUADE	: : : :
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